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22 DEC 1961

MEMORANDUM FOR: Legislative Counsel

SUBJECT : Proposed Amendment to the Central Intelligence Agency Act of 1949

1. There are attached examples of cases illustrating difficulties faced by the Agency concerning the problem of unauthorized disclosure of intelligence information. These cases are submitted to support the proposed amendment to protect "Intelligence Data" from unauthorized disclosure.

2. In the first three cases, the interested Agency components, including the Office of Security, expended a great deal of time, effort and money in an effort to protect the Agency's vital interests in the Subjects' operational activities. The cases point up the need for specific legislation to deal with persons who employ or rely on blackmail tactics to evade their responsibilities to the Agency. The need is especially great in cases involving financial indebtedness to the Agency. In such cases there has been a trend for persons to rely on the Agency's historical position not to initiate legal prosecution because of operational, cover and security considerations.

3. The provisions of "Protection of Intelligence Data" section of the proposed bill appear to give the Agency a broader and stronger power to deal with the problems of unauthorized disclosure of intelligence data. The injunctive power appears to be an especially effective mechanism. However, it is pointed out that the proposed bill may present some constitutional questions as to how much information

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a client may reveal to his attorney and also what information may the defense bring out in a trial to legally support its position.

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[REDACTED]

Sheffield Edwards
Director of Security

Attachment

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